

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

FURMINATOR, INC.,	)	
	)	
Plaintiff,	)	
	)	No. 4:06-CV-23 CAS
v.	)	
	)	
ONTEL PRODUCTS CORP., et al.,	)	
	)	
Defendants.	)	

**ORDER STAYING CASE PENDING APPEAL**

This matter is before the Court on plaintiff's consent motion to stay the proceedings in this case pending disposition of plaintiff's appeal to the United States Court of Appeals for the Federal Circuit of the Court's Findings of Fact and Conclusions of Law dated March 17, 2006. Plaintiff has also filed a consent motion for extension of time to file its response to defendants Ontel Products Corp. and Linens 'N Things, Inc.'s counterclaim.

FURminator has agreed that during the stay it will refrain from accusing any of Defendants' current or potential customers of infringement (whether direct, contributory, or induced) of U.S. Patent 6,782,846 as a result of such customers importing, using, selling or offering for sale the Shed Ender Professional De-Shedding Tools or the Bamboo de-shedding combs. FURminator also agrees that during the stay, it will not accuse Defendants' current or potential customers of trademark infringement or unfair competition as a result of such customers use of the term "de-shedding" in connection with the Shed Ender Professional De-Shedding Tools or the Bamboo de-shedding combs.

Accordingly,

**IT IS HEREBY ORDERED** that plaintiff's consent motion to stay the proceedings in this case is **GRANTED**. [Doc. 113]

**IT IS FURTHER ORDERED** that this matter is **stayed** pending the United States Court of Appeals for the Federal Circuit's disposition of plaintiff's appeal of this Court's March 17, 2006 Findings of Fact and Conclusions of Law. The stay shall not apply to any motion regarding a breach of the agreement described above.

**IT IS FURTHER ORDERED** that plaintiff's consent motion for an extension of time to file a response to defendants Ontel Products Corp. and Linens 'N Things, Inc.'s counterclaim is **DENIED as moot**, as the case has been stayed. [Doc. 112]

**IT IS FURTHER ORDERED** that the Court will lift the stay of this case on its own motion upon the filing of the mandate of the United States Court of Appeals for the Federal Circuit with the Clerk of this Court.

A handwritten signature in black ink, appearing to read "Charles A. Shaw", with a long horizontal flourish extending to the right.

**CHARLES A. SHAW**  
**UNITED STATES DISTRICT JUDGE**

Dated this 19th day of April, 2006.